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E-Filed 4/30/09

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 ENRICO GARGALE,

12 Plaintiff,

13 v.

14 FORTINET, INC. A Delaware Corporation,
and DOES 1 through 50, inclusive,

15 Defendants.
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Case No. CV-08-3167 JF

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CMC DATE**

Current CMC Date: May 1, 2009

Proposed CMC Date: July 17, 2009

Before: Hon. Jeremy Fogel

20 WHEREAS, plaintiff filed his complaint on July 1, 2008;

21 WHEREAS, the parties settled this dispute at mediation on April 20, 2009;

22 WHEREAS, the parties expect the settlement to be completed by June 30, 2009, with
23 plaintiff to request a dismissal with prejudice of this action upon completion of the settlement;

24 WHEREAS, the case management conference for this matter is currently scheduled for
25 May 1, 2009, at 10:30 a.m.;

26 NOW, THEREFORE, the parties, by and through their undersigned counsel of record,
27 hereby agree and stipulate to the following:

28 1. The Case Management Conference currently scheduled for May 1, 2009, is hereby

1 continued until July 17, 2009, or until such later date as may be ordered by the Court.

2 Dated: April 29, 2009

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6 /s/ Michael C. Osborne

Michael C. Osborne
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Attorneys for Plaintiff
ENRICO GARGALE

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11 Dated: April 29, 2009

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16 /s/ Jenny L. Dixon


Terry T. Johnson
Cynthia A. Dy
Jenny L. Dixon
Pamela E. Glazner
Attorneys for Defendant
Fortinet, Inc.

[PROPOSED] ORDER

Based upon the above stipulation of the parties, and for good cause appearing therefor, IT
IS HEREBY ORDERED THAT:

1. The Case Management Conference currently scheduled for May 1, 2009, is hereby
continued until ~~July 17, 2009~~, until July 10, 2009, ~~or until such later date as may be~~
~~ordered by the Court.~~

Dated: April 30, 2009


Hon. Jeremy Fogel
United States District Judge

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Michael C. Osborne, attest that concurrence in the filing of this document has been obtained from each of the signatories. I further declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 29th day of April, 2009 at Walnut Creek, California.

Dated: April 29, 2009



Michael C. Osborne
Chad D. Greeson
Attorneys for Plaintiff
ENRICO GARGALE